



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

MEMORANDUM

DATE: OCT 12 1989

SUBJECT: Status memo
Collierville Site
Collierville, Tennessee

TO: V. Anne Heard
Section Chief, Eastern Section
Hazardous Waste Law Branch

THRU: Patrick M. Tobin
Director, Waste Management Division

FROM: Harold Taylor *Felicia Barnett*
Unit Chief, KY/TN Unit *for*
North Site Management Section

A proposed RI/FS consent decree is being negotiated in the Collierville Site with the operator of the facility at that site, Carrier Corporation. Special notice was given to Carrier on March 3, 1989. Carrier responded on April 3, 1989, proposing to address contamination at this Site pursuant to either RCRA or the Safe Drinking Water Act. Carrier also requested a meeting with Mr. Tobin to discuss these proposals.

A meeting was held on April 28 with Carrier, Mr. Tobin, and other EPA personnel. After that meeting, Mr. Tobin investigated Carrier's proposal. At the end of May, 1989, Mr. Tobin decided to continue CERCLA response actions at the site. On June 23, 1989, Carrier was informed in writing of the Agency's decision, and told that the Agency planned to issue a unilateral order on this site if Carrier did not enter into a consent order to complete the RI/FS.

Carrier met with Region IV staff on July 14, 1989. At that time, it was agreed that negotiations would continue on an RI/FS consent order until September 29, 1989. This action was taken because of Carrier's good faith during negotiations and to allow time for EPA review of the draft RI/FS work plan. In view of work already done by the PRP at the site, the Agency agreed to make the effective date of the consent order contingent upon approval of an RI/FS work plan.

A draft work plan has been submitted to EPA and reviewed. The work plan is an acceptable first draft. Subsequent meetings with Carrier indicate that a final work plan can probably be agreed upon.



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The proposed consent order sets the effective date of the order as the date EPA approves the work plan; as the proposed order sets out, there are automatic termination provisions if that plan remains unapproved beyond a specific date. This provision meets the program's need to have the consent order complete by September 29 while allowing the agreement with Carrier as to pre-approval of the work plan to be honored.